

H.C. Burleigh Papers

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# DOUGLAS LIBRARY NOTES

QUEEN'S UNIVERSITY  KINGSTON, ONTARIO

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Vol. IX, No. 1

A supplement to the Queen's Review

April, 1960

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## THE ARCHIVES DEPARTMENT

The archives collection at Queen's is as old as the university for it may be said to have begun with the Royal Charter, a parchment document which cost the alarming sum of £700, almost leaving the infant college bankrupt before it opened. In the early days there was barely enough money to buy the most necessary books for the college library let alone to invest in historical manuscripts. The founding fathers, however, were fully conscious of the fact that their own records in planning and establishing the college were of historic importance. These they garnered and kept intact for posterity. To-day, calendared and indexed, they not only tell the history of the founding of Queen's, but reveal much of importance concerning the relations of Church and State in the early development of the province.

To the Queen's archives were added the records of the Presbyterian Synod of Canada in connection with the Church of Scotland. These, too, have been classified and indexed and used by research historians. Of even wider interest for the social historian are the nineteen volumes of manuscript journals kept by Rev. William Bell, the first Presbyterian minister of Perth.

To college and church records, successive librarians, with the aid of history professors and others, have added a wide variety of manuscripts dealing largely, but not exclusively, with the U. E. Loyalist settlement of eastern Ontario. The Treadwell papers, Tett papers, Solomon Jones papers, the Landon and Joel Stone papers, the Cartwright papers and Letter Books, the McGuin papers, the Kirby papers, the Parrott papers, Purdy account book, Stevenson letters and a variety of other records all come within this category.

The William Smith transcripts from the Public Archives, 1540-1865, in 154 volumes, supply an excellent basic collection of documents in the wider field of national history. Within the past decade various political papers, also national in scope, have come to Queen's — the Hon. Alexander Mackenzie Papers, the Laurier Papers (in microfilm), the W. D. Gregory papers, the Hon. C. A. Dunning papers, the Hon. W. G. Mitchell papers among others. The Adam Shortt papers present the views and opinions of a highly responsible civil servant.

Since the Douglas Library first opened in 1924, Dr. Lorne Pierce has been building up the Edith and Lorne Pierce Collection, not only as one of the finest collections of Canadian imprints in the Dominion, but by all odds the largest single collection of original letters, manuscripts and typescripts by Mair, Carman, Pickthall, Roberts, Campbell and other Canadian authors. Many of



these records are of historical as well as literary importance. The Charles Mair Papers, for example, contain primary source material of the first importance concerning the Riel Rebellion and the settlement of the West.

Colonel R. S. McLaughlin, Queen's benefactor extraordinary, donated to the library in 1948 a collection of Canadian historical manuscripts, broadsides, prints and early maps valued at over \$10,000.00, and capped this gift in 1954 with the John Buchan Library, including the manuscripts of some thirty-six of Buchan's major works and a selection of his private papers and correspondence.

It is no exaggeration to say that for variety and intrinsic importance the Canadian manuscript collection at the Douglas Library is unequalled by any similar university collection in Canada. Its growing importance has attracted research scholars from other major Canadian universities and from the United States.

Two guides to the collection have been published, *A Note on the Manuscript Collection in the Douglas Library, Queen's University* by E. C. Kyte, 1943, and *A Catalogue of Canadian Manuscripts collected by Lorne Pierce and Presented to Queen's University*, 1946. So rapidly have the archives expanded in the past decade, however, that both these guides are now sadly out of date. With the appointment on April 1 of a full-time archivist, Mr. E. Charles Beer, the manuscript collection is now undergoing reorganization on approved archival principles in order that it may more readily serve graduate students in English and History and visiting research scholars. In due time a new guide to the archives will be compiled and published.

### THE HONOURABLE JOHN KIRBY OF KINGSTON

Among the lesser known early legislative councillors of Upper Canada was John Kirby (1772-1846) Kingston merchant and Colonel in the Frontenac militia. At the time of his death, December 19, 1846, Kingston papers both Tory and reform paid equal tribute to one of the city's foremost citizens.

"Mr. Kirby came to Kingston in the year 1796," states the obituary in the *Chronicle and Gazette*, "and having been successful in mercantile pursuits to the extent of his desires, he spent his declining years in those acts of liberality and charity which endeared him to all around him . . ."<sup>1</sup> The redoubtable Dr. John Stewart, editor of the *Argus*, declared: "He was one of a class which we regret to say is speedily passing away from amongst us: hospitable and unostentatious . . . freely bestowing his substance and his sympathy where the call of benevolence or charity invited his attention . . . [Mr. Kirby] had the satisfaction of witnessing the rise of Kingston from a wilderness to a proud and flourishing city".<sup>2</sup>

Kirby's legal and business papers and some of his family correspondence passed to one of his executors, Thomas Kirkpatrick, who deposited them in a tin box among other records of his law firm, later to become the firm of Nickle and Nickle. There they remained for well over a century until they were transferred, with the library of the late Hon. W. F. Nickle, to the Douglas Library, through the generosity of the Nickle family.

From these papers, and other Kirby letters in the Hon. John Macaulay Papers in the Ontario Archives, it is possible to reconstruct the main outline of Hon. John Kirby's career.

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<sup>1</sup> Kingston *Chronicle and Gazette*, December 19, 1846.

<sup>2</sup> Kingston *Argus*, December 22, 1846.

His father, John Kirby Sr., emigrated from Tadcaster, Yorkshire, to New York State with his wife, his two sons, William and John, and his daughter, Jane, shortly before the outbreak of the American war of independence. He obtained land near Crown Point and engaged in farming. What part he played in the revolution is not known, but his sympathies were royalist, and the family is said to have "shared in the troubles to which all Loyalists were exposed".<sup>3</sup>

In 1791 Jane Kirby married Robert Macaulay of Kingston, who, during the late war, had served as Captain with the British forces on Carleton Island, and had received a land grant as a Loyalist. His frame house on Carleton Island was one of the first to be moved across the ice to the new town of Kingston. Macaulay entered into partnership with Thomas Markland and engaged in the forwarding business. They were joined in 1796 by young John Kirby who took over the firm after the withdrawal of Markland and the death of Robert Macaulay in 1800.

A staunch Anglican, Kirby was a pillar of St. George's church, and served two terms as Warden, in 1802 and 1810. He joined the First Regiment of the Frontenac militia and in 1821 became Lieutenant Colonel. As his business prospered, he bought up land, became a share-holder in the Midland Bank and Bank of Montreal, and for a time was part owner of the *Kingston Gazette*. On February 28, 1822, he married a widow, Mrs. Celia Bethune Wilkinson, who predeceased him in 1842. There were no children.

In 1830 his brother William died at Ticonderoga where he had remained after the revolutionary war to farm the family property. He left heavy debts, and for several years Kirby was involved in legal proceedings to settle the estate. Among the Kirby papers are half a dozen querulous letters from his sister-in-law, and pathetic pleas from her step-daughter, Maria Kirby, imploring Uncle John to extricate them from the machinations of an alcoholic lawyer, Mr. Weed.

At the time of the Mackenzie rebellion it was falsely reported in the American frontier press that the coup had been successful and that all the leading Loyalists in Toronto and Kingston were imprisoned. Maria Kirby, ill at the time, spent some anxious hours supposing her relatives to be languishing in jail, before the truth of the matter became known. She wrote to her uncle, February 4, 1838, about this episode:

"I had heard of the disturbances in the Lower province but never so much as dreamed that they would extend to the Upper province. The news came to me under the most trying circumstances. I was confined to the house by a severe illness . . . Some person came in and by way of news said they had read in a newspaper that the Patriots had seized possession of Toronto and that Sir John Colbourne and all the Loyalists of consequence in Kingston and Toronto, including you and Cousin Macaulay were imprisoned . . . Mackenzie, probably anticipating success, published an account of his victory in the Buffalo papers. I was weak in body and mind. I thought of your rheumatic limbs fettered perhaps in a cold prison, surrounded by ruffians. I cried bitterly and spent a most miserable night. My only thought was that I never should see you again, Dear Uncle [and] die perhaps without knowing your fate. I knew you all too well to suppose for a moment that death or daggers would ever compel you to join such a gang of Buccaniers (*sic*) . . . that wretch McKenzie! Nothing would give me so much pleasure as to hear that he was safe in Kingston Penitentiary beating stone, he would then for once in his life be profitably employed."

Far from languishing in prison, Kirby was soon to be appointed a member of the Court Martial for the trial at Fort Henry of Nils von Schultz and other "Patriots" captured after the abortive raid at Prescott. Since 1831 he had been a member of the Legislative Council of Upper Canada, and had served on the

<sup>3</sup> *Chronicle and Gazette, op.cit.*



Select Committee "to examine into and report upon the measures which it may be expedient for the Legislature to adopt in consequence of the present commercial difficulties in the Province". (June 1837) He had taken an active interest in banking legislation, helped to obtain a government grant for the new Kingston hospital, and supported, but without success, a motion to establish a quarantine station on Cedar Island.

A thorough Tory in politics, Kirby, like his nephew Hon. John Macaulay, was apprehensive about the Durham Report and the movement for responsible government. "The charm of responsible government proposed by Lord Durham," wrote Macaulay to Kirby, June 9, 1839, "has turned every head in the Province, and I do not see where the mischief will end".<sup>4</sup> On the last day of the year, Kirby outlined to his nephew his views on the impending union:

"In regard to the Union of the Provinces I think the terms offered was (*sic*) as favourable as we had a right to expect, but how it will work I must confess, I have my doubts whether for weal or for woe. I am fearful of the result, but then I do not see how we could avoid it, as the home Government seemed bent upon it, whether we like it or not—we are at their mercy now. I trust they will not remove the Seat of Government out of the Province as such a measure would be next to ruinous — and I hope they will insist upon the English language to be the only one used in all our Courts of Justice and in the Legislature".<sup>5</sup>

Macaulay hoped for a military governor, and was unfeignedly disappointed when the appointment went to Poulett Thomson, later Lord Sydenham. Kirby, however, was glad to report early in 1841 that *Alwington*, Baron Grant's fine house on the lake front, had been leased to Sydenham as a vice-regal residence for £800, and that two wings were being added.

Despite his misgivings, it was a proud day for Kirby when Kingston became the capital of the united Province of Canada, for he had witnessed its growth from a few straggling frame and log houses skirting the waterfront to the foremost city of Upper Canada with fine limestone houses, stores, public buildings and churches. His own home at the foot of Princess Street was one of the finest, well furnished, with a grand piano in the living room, imported rugs, the finest china and crystal and a well-stocked wine cellar.

"His highest ambition in the evening of his day," wrote Dr. William Canniff, "seemed to be the enjoyment of domestic tranquility and a quiet home, made happy to him by a wife of rare sense, intelligent, and possessed of many amiable accomplishments."<sup>6</sup> On December 19, 1846, after a lingering illness, he died in his seventy fifth year, and was buried on a plot of land where Adelaide Hall now stands. The remains were later moved to Cataraqui Cemetery.

H.P.G.

#### MORE BOOKS FROM MR. BURTON

Mr. C. L. Burton of Toronto has paid further tribute to his friendship for the Rector by presenting two books formerly from the library of Lawrence of Arabia: Spenser's *Faerie Queen*, London 1607, and Sir Walter Raleigh's *History of the World*, London 1614; also two fine examples of modern book making: the Golden Cockerel Press edition of the *Mabinogian*, London, 1948, and *Les Très Riches Heures de Jean de France, Duc de Berry*, three volumes, Paris, 1904. These volumes were on display during Queen's Open House, February 20, and have since been placed in the Special Collections Room. The Library is deeply grateful to Mr. Burton for his continued benefactions.

<sup>4</sup> Hon. John Macaulay Papers, Ontario Department of Public Records and Archives.

<sup>5</sup> *Ibid.*

<sup>6</sup> Wm. Canniff, *History of the Settlement of Upper Canada* — Toronto, 1869, p. 437.



